IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL **[LODGING]** NO.339 OF 2007
IN
COURT RECEIVER'S REPORT NO.79 OF 2007
IN
ARBITRATION PETITION NOS.336 AND 337 OF 2004

M/s. Ambarwadikar & Co. & Ors. .... Appellants
Vs.
Ashok Leyland Finance Ltd. .... Respondents

Sarvasri Subodh Joshi i/b Rajendra A. Mehta
for the Appellants.

Ms Shakuntala Joshi for the Respondent.

Shri C.R. Bhogaonkar, 2nd Asst. to Court
Receiver, present.

CORAM: R.M.S. KHANDEPARKAR &
D.G. KARNIK, JJ.

DATED: MAY 03, 2007

P.C:

Heard. The learned Advocate appearing for the appellants craves leave to withdraw the appeal as the appellants want to file a review petition in relation to the impugned order while praying that the interim stay granted may be continued for a period of six weeks. The withdrawal of the appeal is not objected to. However, the continuation of the interim stay is objected to on behalf of the respondent. However, in our considered opinion, since the appellants intend to move for review of the impugned order, we do not find any justification to refuse the continuation of the interim stay granted

earlier for a period of six weeks. However, it is made clear that we have not expressed any opinion on any of the issues sought to be raised in the appeal and all the issues are kept open. With the above observations, the appeal is accordingly allowed to be withdrawn and stands disposed of accordingly.

(D.G.Karnik, J.) (R.M.S.Khandeparkar, J.)

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